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PTO/SB/05 (11-00)  
Approved for use through 10/31/2002 OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 600-1-258DIV

First Inventor SETH DARST

Title A CRYSTAL OF BACTERIAL CORE

Express Mail Label No. EL676518511US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)2.  Applicant claims small entity status.  
See 37 CFR 1.27.3.  Specification [Total Pages 73]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure4.  Drawing(s) (35 U.S.C. 113) [ Total Sheets 10 ]

5. Oath or Declaration [ Total Pages 8 ]

- a.  Newly executed (original or copy)  
b.  Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)

i.  **DELETION OF INVENTOR(S)**Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).6.  Application Data Sheet. See 37 CFR 1.76**ADDRESS TO:** Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)  
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a.  Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i.  CD-ROM or CD-R (2 copies); or  
ii.  paper  
c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & document(s))  
10.  37 CFR 3.73(b) Statement  Power of  
(when there is an assignee)  Attorney  
11.  English Translation Document (if applicable)  
12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)  
15.  Certified Copy of Priority Document(s)  
(if foreign priority is claimed)  
16.  Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent  
17.  Other: **Request for Transfer of Computer  
Readable Form; Formal Drawings (copy)**

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76: Continuation  Divisional  Continuation-in-part (CIP)

of prior application No. 09 , 396,651

Prior application information: Examiner K. Kerr

Group Art Unit: 1652

Table of  
Atomic  
Coordinates  
(236 pages)For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**19. CORRESPONDENCE ADDRESS**

<input type="checkbox"/> Customer Number or Bar Code Label	23565 (Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> or <input type="checkbox"/> Correspondence address below
Name	Klauber & Jackson		
Address	411 Hackensack Avenue		
City	Hackensack	State	New Jersey
Country	United States	Telephone	201-487-5800
Zip Code	07601		
Fax	201-343-1684		

Name (Print/Type)	Michael D. Davis	Registration No. (Attorney/Agent)	39,161
Signature	Michael D. Davis		Date 2/13/01

Burden Hour Statement: This form is estimated to take 0 2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PATENT  
600-1-258 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : DARST ET AL.

SERIAL NO. : UNASSIGNED EXAMINER : UNKNOWN

FILED : HEREWITH ART UNIT : UNKNOWN

FOR : A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE  
(AMENDED)

VIA EXPRESS MAIL NO.: EL676518511US  
DATE OF DEPOSIT: February 13, 2001

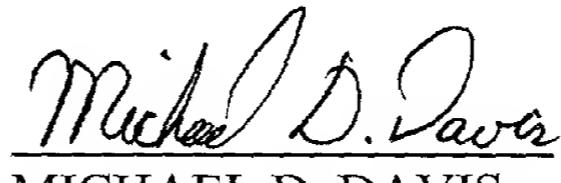
REQUEST FOR TRANSFER OF COMPUTER READABLE FORM

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Applicants request that the previously submitted sequence information filed in computer readable form in Application Number 09/396,651 be used in the present Application. This sequence information was the third and final computer readable form filed in that Application.

Respectfully submitted,

  
MICHAEL D. DAVIS  
Attorney for Applicant(s)  
Registration No. 39,161

KLAUBER & JACKSON  
411 Hackensack Avenue  
Hackensack, NJ 07601  
(201) 487-5800

Date: February 13, 2001

PATENT  
600-1-258

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SETH DARST *ET AL.*

SERIAL NO.: 09/396,651 EXAMINER : K. KERR

FILED : SEPTEMBER 15, 1999 ART UNIT : 1652

FOR : A CRYSTAL OF BACTERIAL CORE RNA POLYMERASE AND  
METHODS OF USE THEREOF

Certificate of Mailing Under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service  
as first class mail in an envelope addressed to ASSISTANT COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231 on August 25, 2000.

Michael D. Davis, Reg. No. 39,161  
(Name of Registered Rep.)

Betty Schult 8/25/00  
(Signature and Date)

STATEMENT IN SUPPORT OF THE FILING/SUBMISSION OF A  
NUCLEOTIDE/AMINO ACID SEQUENCE LISTING IN  
ACCORDANCE WITH 37 CFR §1.821 - 1.825

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Dear Sir:

MICHAEL D. DAVIS, attorney of record, hereby states as follows:

1. I hereby state that the content of the paper and computer readable copies  
of the Sequence Listing submitted in accordance with 37 CFR §1.821(c) and (e),  
respectively, are the same.
2. I hereby state that the submission, filed in accordance with 37 CFR  
§1.821(g) herein does not include new matter.

DATED: August 25, 2000

Michael D. Davis  
MICHAEL D. DAVIS